

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS SAN
ANTONIO DIVISION**

La Unión Del Pueblo Entero, *et al.*,

Plaintiffs,

v.

Gregory W. Abbott, *et al.*,

Defendants.

No. 5:21-cv-00844-XR

**INTERVENOR-DEFENDANTS' RESPONSES AND OBJECTIONS TO
LUPE PLAINTIFFS' RULE 26(a)(3) DISCLOSURES**

Intervenor-Defendants Harris County Republican Party, Dallas County Republican Party, Republican National Committee, National Republican Senatorial Committee, and National Republican Congressional Committee (collectively, the "Intervenor-Defendants"), lodge the following objections and responses to the Rule 26(a)(3) pretrial disclosures filed by the LUPE Plaintiffs. *See* ECF No. 691.

Intervenor-Defendants expressly join, and incorporate herein by reference, all responses and objections lodged to the LUPE Plaintiffs' pretrial disclosures by any party to this litigation, including State Defendants. Intervenor-Defendants also expressly reserve the right to supplement, modify, or add to these responses and objections. Consistent with the parties' meet-and-confer conversations, Intervenor-Defendants are not required at this time to lodge any responses or objections to Private Plaintiffs' deposition designations of witnesses whom Private Plaintiffs have identified as will call live witnesses for trial.

LUPE Plaintiffs' Deposition Designations For Alan Vera (Feb. 27, 2023)

<u>LUPE Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
10:6-14:9	Fed. R. Evid. 401	
21:15-22:1, 22:6-14	Fed. R. Evid. 401	
30:7-31:2, 31:9-32:17		32:18-23
35:19-36:1	Fed. R. Evid. 401	
36:2-9, 36:20-37:7		36:10-20
37:8-38:6	Fed. R. Evid. 401	
39:7-40:10, 40:17-45:17	Fed. R. Evid. 401; First Amendment privilege	
41:7-41:10	Fed. R. Evid. 802; document speaks for itself	
45:24-47:8, 47:21-50:13	Fed. R. Evid. 401	47:9-20
50:21-52:22	Fed. R. Evid. 401; First Amendment privilege	52:23-53:6, 162:11-16
59:15-61:10	Fed. R. Evid. 401	61:11-15
60:9-18	Fed. R. Evid. 802	
64:13-64:24	Fed. R. Evid. 401	64:25-65:4
65:5-66:11	Fed. R. Evid. 401	
69:23-70:6		70:7-15
78:6-80:19	Discussion of counsel	
84:15-85:17		85:22-87:1
87:2-87:10		87:11-88:7
88:8-89:3		89:4-9
89:10-90:2		90:3-92:13
98:7-11		98:12-17, 98:22-99:12
99:18-100:1	Fed. R. Evid. 802	101:21-102:11, 103:9-15
104:24-106:17		106:18-107:21
107:22-108:10		108:11-16

108:17-109:6		109:7-112:1
112:16-113:22		113:23-114:12
115:21-116:2		116:3-17
123:5-124:5, 124:19-126:4	Fed. R. Evid. 401	
128:5-129:11	Fed. R. Evid. 401	
130:17-25	Fed. R. Evid. 802; document speaks for itself	
134:1-19		134:20-25
138:10-139:5		139:6-140:2
141:16-143:17	Fed. R. Evid. 401	
143:18-144:17		144:18-23
145:23-146:24	Discussion among counsel	

LUPE Plaintiffs' Deposition Designations For Cindy Siegel (Feb. 28, 2023)

<u>LUPE Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
19:1-3	Incomplete part of the answer designated; no corresponding question designated.	
19:18-20:14; 21:5-17; 21:24-22:1	Fed. R. Evid. 401	
28:10-29:18	Fed. R. Evid. 401	
32:13-33:16	Fed. R. Evid. 401	
34:22-25	Fed. R. Evid. 401	
35:25-36:10	Fed. R. Evid. 401	
41:13-22	Fed. R. Evid. 401	
59:9-15	Fed. R. Evid. 401	
65:17-22	Fed. R. Evid. 802	
68:5-23	Fed. R. Evid. 401	
70:18-72:17	Fed. R. Evid. 401	

75:20-76:15	Fed. R. Evid. 401	
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LUPE Plaintiffs' Deposition Designations For Susan Fountain (April 26, 2023)

<u>LUPE Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
52:12-23	Fed. R. Evid. 401	
90:14-91:11	Fed. R. Evid. 401	91:12-14
101:10-107:15	Improper opinion testimony in violation of Fed. R. Evid. 701, calls for legal opinions	
123:13-124:2		160:13-17
127:1-5	Technical problem; no corresponding question designated for answer	

LUPE Plaintiffs' Deposition Designations For Hilda Salinas (April 20, 2023)

<u>LUPE Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
22:19-23:4, 23:20-22	Fed. R. Evid. 602 (lack of personal knowledge), answer not responsive to question	
26:19-27:1		27:7-12
53:7-54:16		54:17-25
73:17-23		77:12-17
124:11-22		124:23-25
129:9-22	Call for speculation, Fed. R. Evid. 602 (lack of personal knowledge)	
129:23-130:11	Fed. R. Evid. 802 (hearsay)	

134:11-17	Fed. R. Evid. 602 (lack of personal knowledge)	137:11-16
147:15-25	Fed. R. Evid. 802 (hearsay)	
151:9-14		151:15-18
153:10-154:12		154:13-25
196:5-17		196:18-21

LUPE Plaintiffs' Exhibit List

<u>LUPE Plaintiffs' Exhibit</u>	<u>Intervenor-Defendants' Objection</u>
LUPE-76	Fed. R. Evid. 401 (relevance)
LUPE-82	Fed. R. Evid. 401 (relevance)
LUPE-83	Fed. R. Evid. 401 (relevance)
LUPE-84	Fed. R. Evid. 401 (relevance)
LUPE-85	Fed. R. Evid. 401 (relevance)
LUPE-86	Fed. R. Evid. 401 (relevance)
LUPE-87	Fed. R. Evid. 401 (relevance)
LUPE-88	Fed. R. Evid. 401 (relevance)
LUPE-89	Fed. R. Evid. 401 (relevance)
LUPE-186	Fed. R. Evid. 401 (relevance)

August 15, 2023

Respectfully submitted,

/s/ John M. Gore

John M. Gore

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CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to all counsel of record.

/s/ John M. Gore